

1 KENT M. ROGER, State Bar No. 95987
HERMAN J. HOYING, State Bar No. 257495
2 JENNIFER L. CALVERT, State Bar No. 258018
MORGAN, LEWIS & BOCKIUS LLP
3 One Market, Spear Street Tower
San Francisco, CA 94105-1126
4 Tel: 415.442.1000
Fax: 415.442.1001
5 E-mail: kroger@morganlewis.com
hhoying@morganlewis.com
6 jennifer.calvert@morganlewis.com

7 Attorneys for Defendants
8 HITACHI, LTD., HITACHI DISPLAYS, LTD.,
HITACHI ELECTRONIC DEVICES (USA), INC.

9 [Additional defendants and counsel
10 listed on signature pages]

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 (SAN FRANCISCO DIVISION)

14
15 IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. M 3:07-md-1827 SI; MDL 1827
Individual Case No. 3:10-cv-0117 SI

16
17 This Document Relates To Individual Case No.:
3:10-cv-0117 SI

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING FACT
DISCOVERY CUTOFF**

18 ELECTROGRAPH SYSTEMS, INC.;
19 ELECTROGRAPH TECHNOLOGIES, CORP.

Honorable Susan Illston

20 Plaintiffs,

21 v.

22 EPSON IMAGING DEVICES CORPORATION,
et al.

23 Defendants.

24
25 Plaintiffs Electrograph Systems, Inc. and Electrograph Technologies, Corp. (collectively,
26 “Electrograph”) and Defendants Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Electronic Devices
27 (USA), Inc., Epson Imaging Devices Corporation, Epson Electronics America, Inc., Sharp
28

1 Corporation, Sharp Electronics Corporation, Toshiba Corporation, Toshiba America Electronic
2 Components, Inc., Toshiba America Information Systems, Inc., Toshiba Mobile Display Co.,
3 Ltd., LG Display Co., Ltd., LG Display America, Inc., AU Optronics Corporation, AU Optronics
4 Corporation America, Samsung Electronics Company, Ltd., Samsung Semiconductor, Inc.,
5 Samsung Electronics America, Inc. and HannStar Display Corporation (collectively, “Stipulating
6 Defendants”), hereby stipulate as follows:

7 **STIPULATION**

8 WHEREAS, fact discovery closes in this case on December 8, 2011, as set forth in the
9 Stipulation and Order Modifying Pretrial Schedule for “Track One” Direct Action Plaintiff and
10 State Attorney General Actions (Dkt. No. 3110, the “Scheduling Order”);

11 WHEREAS, Electrograph and Stipulating Defendants have conferred regarding the
12 schedule set forth in the Scheduling Order, Electrograph’s document productions in response to
13 discovery requests served by Hitachi Displays, Ltd. and the contemplated depositions of certain
14 former Electrograph employees;

15 WHEREAS, Electrograph would benefit from additional time to produce responsive
16 documents and Stipulating Defendants would benefit from additional time to conduct depositions
17 after reviewing documents produced by Electrograph;

18 WHEREAS Electrograph and Stipulating Defendants agree to the extension of the close
19 of fact discovery set forth in the Scheduling Order for the limited purpose of allowing sufficient
20 time for Electrograph to produce additional responsive documents and Stipulating Defendants to
21 take depositions;

22 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
23 undersigned counsel, on behalf of their respective clients, Electrograph, on the one hand, and
24 Stipulating Defendants on the other hand, as follows:

25 1. The fact discovery cutoff date of December 8, 2011 in the above-captioned matter, as
26 set forth in the Scheduling Order, is extended for the limited purpose of the aforementioned
27 document productions and depositions;

1 2. The deadline for Electrograph to produce responsive documents to discovery requests
2 served by Hitachi Displays, Ltd. is extended to January 15, 2012; and

3 3. The deadline for Stipulating Defendants to take the depositions of former Electrograph
4 employees is extended to February 15, 2012.

5
6 Dated: December 6, 2011

7
8 By: /s/ Kent M. Roger

Kent M. Roger (Bar No. 95987)
Jennifer L. Calvert (Bar No. 258018)
MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1126
(415) 442-1000 (Phone)
(415) 442-1001 (Facsimile)
kroger@morganlewis.com

13 *Attorneys for Defendants Hitachi, Ltd., Hitachi*
14 *Displays, Ltd. and Hitachi Electronic Devices*
(USA), Inc.

15
16 By: /s/ Kevin C. McCann

Kevin C. McCann (Bar No. 120874)
Holly House (Bar No. 136045)
PAUL HASTINGS LLP
55 Second Street
Twenty-Fourth Floor
San Francisco, CA 94105-3441
(415) 856-7000 (Phone)
(415) 856-7100 (Facsimile)
kevinmccann@paulhastings.com
hollyhouse@paulhastings.com

22 *Attorneys for Defendants LG Display Co., Ltd.*
23 *and LG Display America, Inc.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Christopher A. Nedeau

Christopher A. Nedeau
Carl L. Blumenstein
Allison Dibley
NOSSAMAN LLP
50 California Street, 34th Floor
San Francisco, CA 94111
(415) 398-3600 (Phone)
(415) 398-2438 (Facsimile)
cnedeau@nossaman.com

*Attorneys for Defendants AU Optronics
Corporation and AU Optronics Corporation
America*

By: /s/ Melvin R. Goldman

Melvin R. Goldman (Bar No. 34097)
Stephen P. Freccero (Bar. No 131093)
Derek F. Foran (Bar No. 224569)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
(415) 268-7000 (Phone)
(415) 268-7522 (Facsimile)
sfreccero@mofo.com

*Attorneys for Defendants Epson Imaging
Devices Corporation and Epson Electronics
America, Inc.*

By: /s/ Robert Wick

Robert Wick (*pro hac vice*)
Neil Roman (*pro hac vice*)
Derek Ludwin (*pro hac vice*)
COVINGTON & BURLING LLP
1201 Pennsylvania Ave., NW
Washington, DC 20004
(202) 662-6000 (Phone)
(202) 662-6291 (Facsimile)
rwick@cov.com

*Attorneys for Defendants Samsung
Electronics Co., Ltd., Samsung
Semiconductor, Inc. and Samsung Electronics
America, Inc.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Hugh F. Bangasser

Hugh F. Bangasser (*pro hac vice*)
Ramona M. Emerson (*pro hac vice*)
K&L GATES LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98004-1158
(206) 623-7580 (Phone)
(206) 623-7022 (Facsimile)
Ramona.Emerson@klgates.com

Jeffrey L. Bornstein (Bar No. 99358)
K&L GATES LLP
Four Embarcadero Center, Suite 1200
San Francisco, CA 94111
(415) 249-1059 (Phone)
(415) 882-8220 (Facsimile)

*Counsel for Defendant HannStar Display
Corporation*

By: /s/ John M. Grenfell

John M. Grenfell (Bar No. 88500)
Jacob R. Sorensen (Bar No. 209134)
Fusae Nara (*pro hac vice*)
Andrew D. Lanphere (Bar No. 191479)
PILLSBURY WINTHROP SHAW PITTMAN
LLP
50 Fremont Street
San Francisco, CA 94105
(415) 983-1000 (Phone)
(415) 983-1200 (Facsimile)
john.grenfell@pillsburylaw.com

*Attorneys for Defendants Sharp Corporation and
Sharp Electronics Corp.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ John H. Chung

John H. Chung (*pro hac vice*)
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036-2787
(212) 819-8200 (Phone)
(212) 354-8113 (Facsimile)
jchung@whitecase.com

Christopher M. Curran (*pro hac vice*)
Kristen J. McAhren (*pro hac vice*)
WHITE & CASE LLP
701 Thirteenth Street, NW
Washington, DC 20005-3807
(202) 626-3600 (Phone)
(202) 639-9355 (Facsimile)
ccurran@whitecase.com
kmcahren@whitecase.com

*Attorneys for Defendants Toshiba Corporation,
Toshiba Mobile Display Co., Ltd., Toshiba
America Electronic Components, Inc. and
Toshiba America Information Systems, Inc.*

By: /s/ Paul P. Eyre

Paul P. Eyre (*pro hac vice*)
Ernest E. Vargo (*pro hac vice*)
Michael E. Mumford (*pro hac vice*)
BAKER & HOSTETLER LLP
PNC Center
1900 East Ninth Street, Suite 3200
Cleveland, OH 44114-3482
(216) 621-0200 (Phone)
(216) 696-0740 (Facsimile)
peyre@bakerlaw.com
evargo@bakerlaw.com
mmumford@bakerlaw.com

Tracy Cole (*pro hac vice*)
BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4210 (Phone)
Facsimile: (212) 589-4201 (Facsimile)
tcollection@bakerlaw.com

*Attorneys for Defendant Mitsui & Co.
(Taiwan), Ltd.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Philip J. Iovieno
Philip J. Iovieno (*pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207
(518) 434-0600
(518) 434-0665
piovieno@bsfllp.com

*Attorneys for Plaintiffs Electrograph Systems,
Inc. and Electrograph Technologies, Corp.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILER’S ATTESTATION

I, Kent M. Roger, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order. In compliance with General Order 45.X.B, I hereby attest that Kevin McCann, Christopher Nedeau, Melvin Goldman, Robert Wick, Hugh Bangasser, John Grenfell, John Chung, Paul Eyre and Philip Iovieno concur in this filing.

/s/ Kent M. Roger
Kent M. Roger

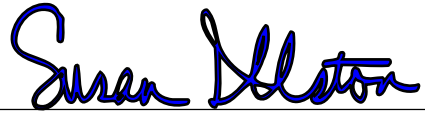
Attorneys for Defendants Hitachi, Ltd., Hitachi Displays, Ltd., and Hitachi Electronic Devices (USA), Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

Pursuant to the parties' stipulation set forth above and pursuant to Rule 6-1(a) of the Civil
Local Rules, IT IS SO ORDERED.

Dated: December ~~12~~, 2011

By 
HON. SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE